

FILED

2011 APR -8 AM 8:42

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CLERK
US BANKRUPTCY
COURT PH

IN RE:

SUSAN J. SCHOFIELD

Debtor

SUSAN J. SCHOFIELD

Movant

V.

HSBC BANK USA, NATIONAL ASSOCIATION, AS
TRUSTEE FOR HOME EQUITY LOAN TRUST
SERIES ACE 2004-HE3

Respondent

) Bankruptcy No.10-20927JKF

)

) Chapter No. 13

)

) Related to Document No. 42

)

) Document No.

)

) Hearing Date: May 11, 2011

)

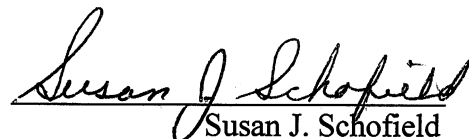
) Hearing Time: 09:30 AM

)

) Response Date: April 26, 2011

)

MOTION FOR OBJECTION TO CLAIM


Susan J. Schofield

2520 BEAVER AVENUE
MONACA, PA 15219
Phone: 724-650-0971

April 6, 2011

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

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OBJECTION TO CLAIM

AND NOW COMES the Debtor, Susan J. Schofield, pro se, and files the within objection:


1. This case was filed as a voluntary Chapter 13 proceeding.
2. Debtor's filed case was represented by ineffective counsel.
3. The Debtor, Susan J. Schofield, is a party in interest pursuant to 11 U.S.C. Section 502 (a).
4. This Court has jurisdiction pursuant to 28 U.S.C. Section 1334.
5. This is a core proceeding within the meaning of 28 U.S.C. Section 157.
6. This objection is filed, inter alia, pursuant to 11 U.S.C. Section 502 (a) and Rule 3007 of the Federal Rules of Bankruptcy Procedure.
7. On or about March 24, 2010, Respondent HSBC Bank USA, National Association, as Trustee for Home Equity Loan Trust Series Ace 2004-HE3 filed a claim in the amount of \$59,297.12 as a claim secured by a lien on Debtor's residence. A copy of said claim is attached as Exhibit "A".

8. The claim was allegedly for monies loaned.

9. The claim is invalid inasmuch Debtor has been subject to costs and fees that are unsubstantiated, invalid, repetitive and contractually not allowed. Thus, the amount claimed is incorrect. Further, said creditor is not the original mortgagee and there is no documentation that the purported creditor named in the document is authorized.

10. The value of the residence in question is approximately \$30,000.

WHEREFORE, Debtor prays that an Order be entered granting this Objection of Claim and allowing the claim to be classified as an unsecured claim.

A handwritten signature in cursive script, reading "Susan J. Schofield".

Susan J. Schofield, Debtor/Movant
2520 BEAVER AVENUE
MONACA, PA 15219
Phone: 724-650-0971

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CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that I served or caused to be served the above captioned pleading Objection to Claim and the Notice of Hearing on the parties at the addresses shown below on April 6, 2011.

Service by First Class U.S. Mail Postage Prepaid.

RONDA J. WINNECOUR, ESQUIRE
(TRUSTEE)
SUITE 3250, USX TOWER, 600
GRANT STREET
PITTSBURGH, PA 15219

Gary J. Gaertner, ESQUIRE
Phelan Hallinan & Schmieg, LLP
555 GRANT STREET, STE 360
Pittsburgh, PA 15219

OFFICE OF THE UNITED STATES TRUSTEE
1001 LIBERTY AVENUE, SUITE 970
PITTSBURGH, PA 15222

*Courtesy Copy For
Judge Fitzgerald*

Susan J. Schofield

Susan J. Schofield, Debtor/Movant
2520 BEAVER AVENUE
MONACA, PA 15061
Phone: 724-650-0971

April 6, 2011